

AMENDED IN SENATE MARCH 29, 2005

**SENATE BILL**

**No. 93**

**Introduced by Senator Florez**

(Principal coauthor: Assembly Member Maze)

**(Coauthor: Senator Ashburn)**

(Coauthors: Assembly Members Arambula, Parra, and Villines)

January 14, 2005

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An act relating to local government finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 93, as amended, Florez. Local government finance: Tulare County.

Existing law requires counties to distribute various fines, fees, forfeitures, and penalties according to prescribed schedules in each fiscal year.

This bill would provide for ~~the validation of repayment over 10 years by the County of Tulare of the amounts it owes to the Trial Court Trust Fund and the Trial Court Improvement Fund due to the incorrect~~ distribution of fines, fees, forfeitures, and penalties made by the County of Tulare in the 1996–97 to 1999–2000 fiscal years, inclusive, ~~as specified, except for \$121,000 to the Trial Court Trust Fund, \$293,000 to the Trial Court Improvement Fund, and those amounts owed to other local agencies.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. (a) Notwithstanding any other provision of law,
- 2 *the County of Tulare may have 10 years from the date of*
- 3 *enactment of this section to repay the amounts it owes to the*

1 *Trial Court Trust Fund and the Trial Court Improvement Fund*  
2 *due to the incorrect* distributions of fines, fees, forfeitures, and  
3 penalties by the County of Tulare for the 1996–97 to 1999–2000  
4 fiscal years, ~~inclusive, shall be deemed correct and no reductions~~  
5 ~~or increases shall be made to the distributions for those fiscal~~  
6 ~~years, except one hundred twenty-one thousand dollars~~  
7 ~~(\$121,000) to the Trial Court Trust Fund, two hundred~~  
8 ~~ninety-three thousand dollars (\$293,000) to the Trial Court~~  
9 ~~Improvement Fund, and those amounts owed to other local~~  
10 ~~agencies inclusive.~~

11 (b) With respect to subdivision (a), the Legislature finds and  
12 declares that a special law is necessary and that a general law  
13 cannot be made applicable within the meaning of Section 16 of  
14 Article IV of the California Constitution because of unique  
15 circumstances applicable to the County of Tulare. The County of  
16 Tulare made distributions of fines, fees, forfeitures, and penalties  
17 to the state for the 1996–97 to 1999–2000 fiscal years, inclusive,  
18 in good faith and reasonable belief that its methods of  
19 distribution of fines complied with all applicable statutes and  
20 these methods were not audited or reviewed by either the  
21 Department of Finance or the Controller until the end of the  
22 1999–2000 fiscal year.